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Name: Mail Stop AMENDMENT
Group Art Unit 3738

Firm: U.S. Patent & Trademark Office

Fax No.: 703-872-9306

Subject: U.S. Patent Application No. 10/697,835

Gary K. Michelson

Filed: October 30, 2003

ORTHOPEDIC IMPLANT SURFACE

CONFIGURATION WITH A PROJECTION
HAVING A BACK CUT

Attorney Docket No. 101.0094-01000

Customer No. 22882

Confirmation No.: 9278

FROM:

Name: Thomas H. Martin, Esq.

Phone No.: 330-877-2277

No. of Pages (including this): 4

Date: January 28, 2005

Confirmation Copy to Follow: NO

Message:**CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that the attached Information Disclosure Statement Under 37 C.F.R. § 1.97(b) and Form PTO-1449 are being facsimile transmitted to the U.S. Patent and Trademark Office on January 28, 2005.



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PATENT
Attorney Docket No. 101.0094-01000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of:) Confirmation No.: 9278
Gary K. Michelson)
Serial No.: 10/697,835) Group Art Unit: 3738
Filed: October 30, 2003) Examiner: Unassigned
For: ORTHOPEDIC IMPLANT SURFACE)
CONFIGURATION WITH A)
PROJECTION HAVING A BACK CUT)

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicant brings to the attention of the Examiner the document listed on the attached PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Applicant respectfully requests that the Examiner consider the listed document and indicate that it was considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitutes "prior art." If the Examiner applies the document as prior art against any claim in the application and applicant determines that the cited document does not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such document.

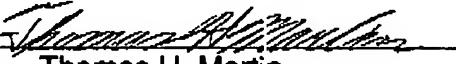
Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 50-1066.

Respectfully submitted,

MARTIN & FERRARO, LLP

Date: January 28, 2005

By: 

Thomas H. Martin
Registration No. 34,383

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OMB 0651-0031

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 6:09; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the appl cant.